

ORIGINAL

ROBERT ALEXANDER SIGOUIN  
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Attorney *Pro Se*

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

APR 25 2006

at 1 o'clock and 15 min. PM  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

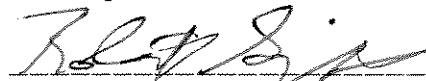
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-248-02 JMS-BMK
	)	
Plaintiff,	)	
	)	DEFENDANT
vs.	)	ROBERT ALEXANDER SIGOUIN'S
	)	REQUESTED JURY INSTRUCTIONS;
ROBERT ALEXANDER SIGOUIN,	)	and
	)	CERTIFICATE OF SERVICE
Defendant.	)	
	)	Trial: April 25, 2006
	)	Hon. Judge J. Michael Seabright
_____	)	

DEFENDANT ROBERT ALEXANDER SIGOUIN'S REQUESTED JURY  
INSTRUCTIONS

In addition to the appropriate standard jury instructions,  
defendant respectfully requests that the Court read the attached  
instructions to the jurors deciding this case.

DATED: Honolulu, Hawaii, April \_\_\_\_, 2006.

  
\_\_\_\_\_  
ROBERT ALEXANDER SIGOUIN  
Attorney *Pro Se*

DEFENDANT ROBERT ALEXANDER SIGOUIN'S REQUESTED JURY  
INSTRUCTION NO. 1

You have heard testimony that Virginia Rosas-Guerrero and Griselda Perez Medina, witnesses herein, have received benefits from the government in connection with this case. You should examine their testimony with greater caution than that of other witnesses. In evaluating that testimony, you should consider the extent to which it may have been influenced by the receipt of benefits from the government.

Ninth Circuit Model Criminal Jury Instructions 4.10, TESTIMONY OF  
WITNESSES RECEIVING BENEFITS

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DEFENDANT ROBERT ALEXANDER SIGOUIN'S REQUESTED JURY  
INSTRUCTION NO. 2

The government has the burden of proving beyond a reasonable doubt that Defendant was not entrapped. The government must prove the following:

1. the Defendant was predisposed to commit the crime before being contacted by government agents, or
2. the Defendant was not induced by the government agents to commit the crime.

Where a person, independent of the and before government contact, is predisposed to commit the crime, it is not entrapment if government agents merely provide an opportunity to commit the crime.

DEFENDANT ROBERT ALEXANDER SIGOUIN'S REQUESTED JURY  
INSTRUCTION NO. 3

It is the theory of the defense that Defendant ROBERT ALEXANDER SIGOUIN is not guilty of Count 1, Conspiracy to Distribute, and to Possess With Intent to Distribute, 100 Grams or More of Heroin, and Count 2, Attempt to Possess, with Intent to Distribute, 100 Grams or more of Heroin, because the government has failed to prove beyond a reasonable doubt that the Defendant has not been falsely accused of said charges, due to a plan or design concocted by government witnesses, and persons associated with them.

Matthews v. U.S., 485 U.S. 58, 63 (1988) (“A defendant is entitled to an instruction concerning his theory of the case if it is supported by law and has *some foundation* in the evidence;” U.S. v. Wofford, 122 F.3d 787, 789 (9<sup>th</sup> Cir. 1997)(the “theory of defense” instruction must be given if some evidence regarding the issue has been presented, “even though the evidence may be weak, insufficient, inconsistent, or of doubtful credibility.”

DEFENDANT ROBERT ALEXANDER SIGOUIN'S REQUESTED JURY  
INSTRUCTION NO. 4

You heard testimony that (describe co-conspirators' statements). You must decide whether these statements were made. If you decide that they were, you may consider them as evidence only against Kevin Patrick Cash. Do not consider them as evidence against Robert Sigouin.

Federal Criminal Jury Instructions No. 3.25B

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document was duly mailed and/or hand-delivered to the following on the date of filing:

MARK INCIONG  
Assistant United States Attorney  
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UNITED STATES OF AMERICA

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Attorney for Kevin Patrick Cash

DATED: Honolulu, Hawaii, April 20, 2006.

  
\_\_\_\_\_  
GLENN D. CHOY